

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Robert Schlipf)  
MEETING DATE: March 14, 2007

ITEM: 9

SUBJECT: **City of Pinole, Pinole-Hercules Water Pollution Control Plant and its Collection System, Pinole, Contra Costa County - Reissuance of NPDES Permit**

CHRONOLOGY: September 2001 - NPDES Permit Reissued

DISCUSSION: The City owns and operates a wastewater treatment plant in Pinole that services the cities of Pinole and Hercules. The plant discharges about 3.6 million gallons per day of secondarily-treated wastewater to San Pablo Bay via a deepwater outfall and diffuser.

During wet weather, inflow and infiltration into the sanitary sewage collection system cause high flows to the treatment plant, which can exceed the treatment capacity and the hydraulic capacity of the City's deepwater outfall. Under these conditions, the City blends partially treated effluent from the primary clarifier with fully treated effluent from the secondary clarifier prior to discharging to the Bay, and, at times, discharges a portion of its treated wastewater via a shallow water outfall. The City has proposed improvement projects to the treatment plant that should eliminate this blending and the use of its shallow water outfall. The Revised Tentative Order requires the City to implement these measures.

The City, U.S. EPA, Bay Area Clean Water Agencies (BACWA), San Francisco Baykeeper, and Environmental Law Foundation commented on Board staff's draft permit. We have responded to all comments (Appendix C), and made appropriate changes to the draft permit, all of which are reflected in the attached Revised Tentative Order. We resolved many issues; however, some remain.

The most significant issues from the City and BACWA relate to inclusion of final limits for dioxin and copper, which they object to on technical and legal grounds. As we described during the permit hearing in January, we view final limits for dioxin as necessary to comply with existing regulations. On copper, the City and BACWA object to the stringency of the limitation; however, we are bound by

antibacksliding requirements to hold the City to a level of treatment that it has previously demonstrated it can comply with.

From Baykeeper the most significant comments relate to the allowance of compliance schedules for mercury, cyanide, and dioxin, and blending during wet weather events. Our position is that compliance schedules are legal, necessary, and technically sound, and that blending is permissible under wet weather conditions since the City has documented that, at this time, there are no feasible alternatives, and the permit requires the City to monitor and comply with all limits during blending.

Finally, with the Environmental Law Foundation, the most significant issue relates to compliance with California's Antidegradation Policy. In our view, the Revised Tentative Order complies with our Antidegradation Policy. This is because the Revised Tentative Order does not provide for an increase in the permitted design flow or allow for a reduction in the level of treatment. Therefore, adoption of this Order will not degrade water quality beyond what is currently permitted. In fact, we expect improvements to water quality because the City is required to initiate upgrades at its facility to improve treatment during extreme storm events.

We anticipate that some commenters may reiterate their concerns at the Board meeting.

RECOMMEN-  
DATION:

Adoption of the Revised Tentative Order

File Number:

2119.1032 (RS)

Appendices:

- A. Revised Tentative Order
- B. Correspondence
- C. Response to Comments